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Report of the Secretary-General on the situation concerning Western Sahara

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 2044 (2012), by which the Council extended the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO) until 30 April 2013 and requested the Secretary-General to report to it on the situation in Western Sahara before the end of the mandate period. The present report covers developments since my report dated 5 April 2012 (S/2012/197) and describes the situation on the ground, the status and progress of the negotiations and the existing challenges to the Mission's operations, as requested by the Council in its resolution 2044 (2012).

II. Recent developments in Western Sahara

2. Within the Territory, largely peaceful demonstrations by Saharan protesters occurred throughout the reporting period in Laayoune and other major towns. They were usually unannounced, small in scale and swiftly dispersed by Moroccan security forces. At times, the Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro (Frente Polisario) alleged that disproportionate force was used.

3. In some instances, protesters drew attention to aspects of the exploitation of natural resources of the region that they considered contrary to international law. In others, they raised concerns regarding the issue of the provision of social services. In Dakhla and Laayoune, fisherfolk and current and former employees of the Boucraa phosphate mines demanded improvements in labour conditions. In October 2012, 11 Saharans, including four women, entered the MINURSO team site in Smara west of the berm demanding increased social assistance. Several hours later, the group was persuaded to leave the compound after the authorities promised to look into its demands. Five members of the same group re-entered the team site during the visit of my Personal Envoy in March 2013, requesting to meet him. Again, they were persuaded to leave.

4. Other protests took the form of expressions of support for self-determination or of solidarity with Saharans detained after the Gdim Izik events of November 2010 and the Dakhla incidents of September 2011. During one sit-in, protesters sought to force their way into the Laayoune regional office of the Moroccan National Human Rights Council, but were dispersed by Moroccan security forces. In

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February 2013, the trial of the suspects in the Gdim Izik disturbances, and the subsequent verdict, saw increased police deployments in Laayoune, Dakhla and Smara, in addition to street tensions, including pro-Frente Polisario graffiti in some neighbourhoods.

5. Demonstrations on a somewhat larger scale, involving between 50 and 100 participants, occurred in Laayoune on the occasion of the visits to Western Sahara of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Juan Méndez, in September, the Under-Secretary-General for Peacekeeping Operations, Hervé Ladsous, in October, and my Personal Envoy to Western Sahara, Christopher Ross, in November and March. In November, there were also some disturbances on the anniversary of the dismantling of the Gdim Izik camp. Local human rights organizations regularly reported excessive use of force against demonstrators by Moroccan security forces. The demonstrations cited above are those of which MINURSO had direct or indirect knowledge. Others were reported, mainly in the pro-Frente Polisario media, but could not be verified.

6. On several occasions, demonstrations in reaction to developments in the Territory or commemorating specific events, such as the dismantling of the Gdim Izik camp, were organized in the refugee camps south of Tindouf.

7. The Under-Secretary-General for Peacekeeping Operations visited Western Sahara and the refugee camps near Tindouf in October 2012. Accompanied by my Special Representative, Wolfgang Weisbrod-Weber, he held consultations with the Moroccan and Frente Polisario authorities on MINURSO operations, confidence-building measures and regional security challenges.

8. My Personal Envoy visited MINURSO and the region late in October 2012. After meetings in Rabat, he travelled to Laayoune and met a wide range of interlocutors, including administrative authorities and human rights and civil society organizations, in the company of my Special Representative. The Mission also supported other aspects of his visit, which took him to MINURSO team sites in Mahbas and Tifariti, as well as to the refugee camps near Tindouf, where he met the Secretary-General of Frente Polisario, Mohamed Abdelaziz, and other Frente Polisario authorities.

9. In October 2012, my Special Representative visited Algiers and held consultations with the Algerian authorities and diplomatic representatives of the Group of Friends of Western Sahara. In March 2013, he met the Mauritanian authorities to discuss issues of mutual concern.

10. The issue of human rights was the focus of visits by several human rights organizations during the period. In August 2012, a delegation from the Robert F. Kennedy Centre for Justice and Human Rights visited Western Sahara and the camps near Tindouf. Its members met MINURSO, Moroccan and Saharan human rights organizations, civil society representatives and Moroccan and Frente Polisario authorities. In September 2012, members of the Leadership Council for Human Rights also visited the Territory and met local interlocutors and my Special Representative.

11. Also in September 2012, the Special Rapporteur on torture visited the Territory west of the berm at the invitation of the Government of Morocco. He held meetings with the Moroccan authorities, the judiciary, civil society members, the regional office of the Moroccan National Human Rights Council, United Nations agencies

and victims of torture and their families. In Laayoune, the Special Rapporteur met my Special Representative to discuss his work and the mandate of MINURSO.

12. Late in September 2012, a delegation from the African Commission on Human and Peoples' Rights visited the refugee camps near Tindouf, where it met MINURSO and the United Nations agencies working in Tindouf. It was unable to visit Western Sahara itself.

13. On occasion, the Moroccan authorities denied access to the Territory to international visitors, most recently a delegation of members of the European Parliament travelling in their private capacity in March 2013.

14. On 17 February 2013, the Permanent Military Tribunal of the Royal Armed Forces in Rabat pronounced its verdict in the trial of 25 Saharan civilians. Nine people were sentenced to life imprisonment. The men were charged in relation to violence during and after the dismantling of the Gdim Izik protest camp near Laayoune in November 2010, which resulted in the death of 11 members of the Moroccan security forces and the mutilation of corpses. Two Saharans, including a minor, were also killed during the events. Local sources stated that many of the accused were known for their political or human rights activism or for having participated in negotiations with the Moroccan authorities in the run-up to the dismantling of the camp.

15. In December 2012, as part of the regionalization process launched by King Mohammed VI, the President of the Moroccan Economic, Social and Environmental Council published a preliminary and critical assessment of the current development model of the Territory, including governance and issues of transparency and accountability, in addition to human rights. A final report is expected by October 2013.

16. Nearly a year after the European Parliament rejected the extension of the 2007 Fisheries Partnership Agreement between the European Union and Morocco, negotiations resumed in the final quarter of 2012 amid vocal opposition from Frente Polisario and other organizations. As negotiations continued for its renewal, the Secretary-General of Frente Polisario wrote to me condemning the continuing exploitation by Morocco of the resources of the Territory.

III. Activities of my Personal Envoy

17. The period from March 2012 to March 2013 was marked by a four-month pause in the mediation process and by serious unrest in the Sahel and beyond. The hiatus in the negotiating process owing to the withdrawal by Morocco of confidence in my Personal Envoy in May 2012 came to an end on 25 August during a telephone conversation that I had with King Mohammed VI in which I clarified the mandates of my Personal Envoy and of MINURSO. Following several bilateral discussions with the parties and the neighbouring States in New York, my Personal Envoy resumed his mediation activities with a trip to the region in October and November 2012, during which he visited Western Sahara for the first time. He also visited the capitals of the Group of Friends of Western Sahara (i.e., Madrid, Moscow, London, Paris and Washington, D.C.), in addition to those of Germany and Switzerland, from 28 January to 15 February 2013 to gather international support for a new approach to move the negotiating process beyond the current stalemate.

A. Consultations in the region and first visit to Western Sahara

18. From 27 October to 15 November 2012, my Personal Envoy undertook long-delayed regional consultations followed by visits to Madrid and Paris for bilateral discussions with the newly elected Governments. At each stop, senior interlocutors reiterated their full support for the United Nations mediation efforts and for my Personal Envoy, in addition to their readiness to cooperate with him. In contrast to previous trips, my Personal Envoy sought to widen his contacts beyond official interlocutors to include civil society leaders, including youth, student and women's groups and academics, as well as parliamentarians and political party leaders.

19. In Rabat, my Personal Envoy was received by King Mohammed VI and met members of the Government, parliamentarians and political party leaders. All expressed strong frustration that five years of direct negotiations had not led to the implementation of the Moroccan autonomy proposal. They also expressed their strong hope that my Personal Envoy's efforts to promote further development of bilateral relations with Algeria would succeed, thus helping to improve the atmosphere of the negotiating process.

20. My Personal Envoy sought to clarify his mandate as I had set forth and the guidance that the Security Council had provided, highlighting his neutrality regarding the two proposals and his commitment to an unbiased process. He further explained that the international community remained divided on the Western Sahara question and that the current negotiating framework, governed by Chapter VI of the Charter of the United Nations, did not permit the United Nations to impose a solution on either party.

21. From 31 October to 3 November, my Personal Envoy visited Western Sahara for the first time since his appointment in 2009. Accompanied by my Special Representative, he met local officials, Saharans reflecting both pro-autonomy and pro-independence views, Moroccan and Saharan human rights activists and MINURSO staff and observers. His visit confirmed that Saharan society, while having a strong tribal and cultural identity, is politically divided. Even after meeting a wide range of civil society representatives, it was not possible to estimate either the extent or the depth of pro-autonomy or pro-independence sentiments among the populace. The Personal Envoy further sensed a growing appetite to broaden direct contacts between the various components of Saharan society, in particular among women and young people, including by expanding the existing programme of seminars sponsored by the Office of the United Nations High Commissioner for Refugees (UNHCR). The provision of support by MINURSO, including through reporting, to my Personal Envoy has become even more relevant in the light of his visits to Western Sahara and his increased interactions with the population.

22. In the refugee camps near Tindouf, the Secretary-General of Frente Polisario expressed strong frustration at the Organization's inability to organize a referendum on self-determination. With regard to the situation in Mali, he emphasized that Frente Polisario was firmly opposed to the activities of terrorist and criminal groups and had implemented measures to prevent recruitment in the camps. In meetings with youth, student and women's groups, my Personal Envoy found that the second and third generations were frustrated not only by the lack of progress in the negotiations, but also by the absence of employment opportunities. Many expressed support for radical courses of action such as resuming hostilities against Morocco or

requesting MINURSO to recognize its impotence and depart. Others warned that those frustrations made young people tempting recruitment targets for criminal and terrorist networks. In all his meetings, my Personal Envoy urged restraint and patience, pointing out that such actions would cause great harm. As in the Territory itself, he found great interest in increased contacts between the separated parts of the Saharan population.

23. In Algiers, the President of Algeria, Abdelaziz Bouteflika, reiterated that, while Algeria was not a party to the Western Sahara conflict, any solution that did not provide for a multi-option referendum was not a solution. That said, he agreed to allow his Government to work informally with my Personal Envoy to help to advance the negotiations. In meetings with parliamentarians representing a broad spectrum of political parties, my Personal Envoy encountered full agreement with the views that the President had expressed.

24. In Nouakchott, the Prime Minister and the Minister for Foreign Affairs reiterated the "positive neutrality" of Mauritania in the Western Sahara conflict, adding that it remained ready to assist the United Nations mediation efforts in any appropriate way. While in Nouakchott, my Personal Envoy also received several Saharan dissidents critical of the current Frente Polisario leadership.

25. A common thread at all stops was concern at the security and stability of the Sahel and beyond and growing fears about the fragile situation of young people in the refugee camps near Tindouf and in the Territory. Those concerns did not, however, prompt a new readiness to work seriously to resolve the conflict. The parties continued to maintain what my Personal Envoy has previously characterized as "an unyielding adherence to mutually exclusive positions" and no progress on the core issue of the final status of the Territory was registered. The tense regional context has rendered positions more rigid and raised mutual suspicions between neighbours. My Personal Envoy, with the support of the international community, has repeatedly urged the parties to recognize that the passage of time can only worsen the situation.

26. In addition to discussions on the Western Sahara negotiating process, and as part of the mandate that I had given to him, my Personal Envoy thoroughly discussed bilateral relations between Morocco and Algeria while in those countries. Both leaders expressed a willingness to isolate the improvement of relations from their two countries' differences on the Western Sahara issue and to continue improving their relations by building on the series of bilateral ministerial visits that had already taken place. At the suggestion of my Personal Envoy, they engaged in an exchange of oral messages through him on the subject and identified areas in which bilateral cooperation should be enhanced, including the need for increased cooperation on security threats, illegal immigration and drug trafficking, in addition to the desirability of moderating official media statements.

27. By the end of the trip, my Personal Envoy had obtained confirmation of the willingness of both parties and the neighbouring States to continue to remain engaged in the negotiating process led by the United Nations, including through shuttle diplomacy in the region. It was agreed with the parties and the neighbouring States that convening yet another round of informal talks in the immediate future would not advance the negotiating process, given that the parties remained strongly attached to their respective proposals and had yet to discuss possible compromises.

28. After his regional consultations, my Personal Envoy visited Madrid and Paris for bilateral discussions. In both capitals, he stressed the urgency of solving the Western Sahara conflict in the light of the worrisome regional developments. He conveyed the same message to the Security Council during his briefing on 28 November 2012.

B. Consultations in capitals of the Group of Friends, Germany and Switzerland

29. As announced to the Security Council during his briefing on 28 November 2012, my Personal Envoy undertook a trip to the capitals of the Group of Friends of Western Sahara from 28 January to 15 February 2013. He also took the opportunity to visit Berlin and Bern for bilateral consultations and met the United Nations High Commissioner for Human Rights and senior UNHCR staff in Geneva. The trip was aimed primarily at building additional international support for the Western Sahara negotiating process in preparation for the next phase of engagement with the parties and the neighbouring States.

30. Expanding on the ideas presented in my report of 2011 (S/2011/249, para. 120), my Personal Envoy engaged his interlocutors in a discussion on options for yet another approach to move the negotiating process beyond the current stalemate and improve the atmosphere for negotiations.

31. With regard to the negotiating process, he put forward three modest ideas to be put to the parties and the neighbouring States during a visit to the region in March and April 2013:

(a) First, he would hold bilateral consultations with each party and ask each to recognize that negotiations imply give and take and that the spirit of compromise must prevail. On this basis, he would ask each party to offer specific ideas to him on the nature and elements of a compromise settlement. That could lead to a period of shuttle diplomacy and eventually enrich the negotiating process;

(b) Second, he would ask each party to begin thinking about how to present its proposal in a new way at such time as a further face-to-face meeting is held, i.e., by explaining the benefits and advantages of that proposal for the other party;

(c) Third, he would ask the parties to accept that they will not reach an agreement on the final status of Western Sahara in the short term and to agree that they can discuss practical aspects of governance of the Territory in a systematic way without prejudice to its final status at such time as a further face-to-face meeting is held.

32. With regard to the atmosphere surrounding the negotiating process, he presented three additional ideas:

(a) First, he would renew his efforts to encourage Algeria and Morocco to develop their bilateral relations further, building on the ministerial visits accomplished to date and on the priority sectors identified in exchanges of messages between the two leaders and during his most recent visit to the region;

(b) Second, he would encourage UNHCR to expand its programme of seminars to accommodate the yearning for more contact between Saharans in the Territory and in the refugee camps, in particular among women and young people;

(c) Third, as the members of the Arab Maghreb Union continue their efforts to revitalize the regional organization, he would encourage them to explore the role that it might be able to play in helping to find a solution to the Western Sahara conflict, which remains the major conflict of the region.

33. My Personal Envoy found unanimous support for both sets of ideas.

34. All the Governments consulted raised serious concern over the risk that the fighting in Mali could spill over into the neighbouring countries and contribute to radicalizing the refugee camps. Intense interest in finding a solution to the Western Sahara conflict and avoiding the resumption of hostilities was expressed, with one Government calling the situation in the camps a "ticking time bomb". When asked whether the conflict in Mali could provide a new impetus for the Western Sahara negotiations, my Personal Envoy explained that, while that had been his hope, the parties directly and indirectly concerned with the conflict had to date not reacted in that way. He urged the Governments to use their contacts to encourage serious negotiations.

C. Second visit to the region

35. As agreed with the parties and the neighbouring States, my Personal Envoy visited Nouakchott, Rabat, Laayoune, Dakhla, the refugee camps near Tindouf and Algiers during the latter half of March 2013 and early in April with valuable and much-appreciated transport support from the Government of Spain. The results of the visit will be described orally to the Security Council.

D. Next steps

36. In the coming months, my Personal Envoy will again visit the region to begin his bilateral consultations with the parties and, if justified by their results, engage in a period of shuttle diplomacy. The timing and modalities for holding a further face-to-face meeting of the parties and the neighbouring States will depend on the result of that process.

IV. Activities on the ground

A. Military activity

37. As at 15 March 2013, the military component of MINURSO stood at 213 personnel, including the Force Commander, military clerks and medical unit officers, against the authorized strength of 231. The Mission currently has six female military observers, from Croatia, Ghana, Ireland and Mongolia. There are also four female medical personnel — two doctors and two nurses — with the medical unit from Bangladesh. I reiterate my wish to see further deployments of female officers by troop-contributing countries, both for operational reasons and to improve the Mission's gender balance. During the reporting period, the average monthly number of French-, Spanish- and Arabic-speaking military observers in the Mission was 17, 19 and 33, respectively.

38. The military component remains deployed at nine team sites and at liaison offices in Tindouf and Dakhla. From 16 March 2012 to 15 March 2013, MINURSO conducted 9,214 ground patrols and 589 aerial patrols, including air reconnaissance, to visit and monitor units of the Royal Moroccan Army and the military forces of Frente Polisario for adherence to the military agreements. MINURSO maintained good relations and communications with the Royal Moroccan Army and with Frente Polisario, notwithstanding the divergences of opinion that remain between the Mission and each party regarding compliance with military agreement No. 1, in particular concerning the status of long-standing violations.

39. MINURSO observed and recorded 42 general violations of military agreement No. 1 by the Royal Moroccan Army, compared with 25 recorded during the previous reporting period. The violations included and continued to relate to increases in the length of trenches, the construction of new observation posts, tactical reinforcement and the construction of an antenna tower for a global system of mobile communication in the restricted area. Three freedom of movement violations were confirmed. Long-standing violations increased by seven. They related to the reinforcement of existing observation posts and increases in the length of trenches. During the reporting period, 12 new observation posts were built, bringing the number of solid observation posts that have been considered, since 2009, to be a temporary deployment line 15 km west of the berm (S/2009/200, para. 21) to 326. The number of stone walls remained unchanged, while the length of two was increased. Two watchtowers were changed and a radar replaced. MINURSO continued to insist that the Royal Moroccan Army correct the violations, which it did on several occasions.

40. In official correspondence, the Royal Moroccan Army argued that specific dispositions qualified by MINURSO as violations under military agreement No. 1 were purely civilian in nature or justified by existing illegal activities and security challenges in the region. MINURSO has argued that, although the obligation to take pre-emptive action in the light of regional security challenges is understandable, such issues can be pursued only within the framework of the military agreement. In that regard, MINURSO continues to encourage the parties to enhance communication and confidence in order to address common challenges.

41. Four general violations by the Frente Polisario military forces were confirmed, compared with seven during the previous reporting period. They related to Frente Polisario soldiers and equipment entering the buffer strip.

42. The general assessment of MINURSO is that the aforementioned violations by both parties do not jeopardize the ceasefire. Rather, over the years, they have resulted in a gradual shift in the military balance between the parties.

43. MINURSO received and reviewed 399 requests from the Royal Moroccan Army regarding the construction or maintenance of buildings and facilities inside the restricted area and the destruction of mines and explosive remnants of war. MINURSO approved 373 requests and rejected 23. The remainder are being investigated. MINURSO received 11 requests from Frente Polisario regarding construction, of which it approved 9. The remainder are being investigated.

44. MINURSO received 418 notifications from the Royal Moroccan Army concerning firing and tactical training exercises, the movement of troops, equipment and weapons, VIP and maintenance helicopter flights, and the destruction of mines

and explosive hazards in the area of limited restrictions. MINURSO received three notifications from Frente Polisario concerning firing and tactical training exercises, the movement of troops, equipment and weapons, and visits in the area of limited restrictions. MINURSO monitored all the notified activities.

45. Military observers on the west side of the berm regularly visit 570 units and monitor 29 training areas, 316 observation posts along a second deployment line west of the berm and the several long-standing wall and trench violations in the Bir Gandouz subsector. East of the berm, the military observers regularly visit 93 units, eight training areas and 38 observation posts. The military observers also monitor the security situation to keep the Mission abreast of illegal activities that could affect the safety of the observers.

46. MINURSO monitored demonstrations that occurred in close proximity to the east side of the berm. In one case, five warning shots were fired by a Royal Moroccan Army soldier in response to the burning of a Moroccan flag and stone throwing by demonstrators. To help to calm the situation and to prevent incidents, MINURSO increased patrolling and liaised with the parties, including regional commanders and relevant political interlocutors.

47. Within its capabilities, the military component provided medical support for the UNHCR programme on confidence-building measures and emergency medical services, including casualty evacuation, to the local population on a humanitarian basis. Through its medical unit from Bangladesh, the Mission also assisted with three casualty evacuations and covered 45 confidence-building measure flights during the period.

48. With the increase in monitoring challenges relating to the growth in military dispositions west of the berm in response to regional threats, the MINURSO military component needs to be strengthened if it is to perform effectively. This need is compounded by the reduction of the Mission's fleet of air assets for two consecutive fiscal years. It is assessed that 15 additional military observers are necessary to enable the Mission to monitor the ceasefire and any threats to it more effectively. As recalled by my predecessor in his report of 20 October 2004 (S/2004/827), the Security Council initially authorized an overall troop ceiling of 1,651, including 550 military observers, to enable MINURSO to perform its mandated tasks. Given that it has not proved possible to implement the settlement plans, the MINURSO military component has never reached its originally authorized strength. Adjustments to the authorized strength over the years, most recently by the Council in resolution 1056 (1996), have been conditioned upon the premise that they would not impair the Mission's operational effectiveness in the field. In the light of the changing needs on the ground, MINURSO requires 15 additional military observers, at the earliest opportunity, to enable the Mission to better implement its mandated tasks, bringing the strength to 245 military observers.

B. Substantive civilian activity

49. My Special Representative maintained regular contacts with the parties to discuss the Mission's implementation of its mandate and operational matters and to employ his good offices to promote the resolution of issues relating to the ceasefire and confidence-building measures. He held several consultations with and briefed the Moroccan and Frente Polisario authorities, visiting diplomatic delegations and

officials representing France, Spain, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland, the United States of America, the African Union and international non-governmental organizations, in addition to officials in Algeria and Mauritania, about the Mission's mandate and challenges. In Laayoune and in Tindouf, my Special Representative visited or met women's groups and organizations working in development or related domains. He also established regular contacts with the regional offices of the Moroccan National Human Rights Council in Laayoune and Dakhla.

50. The Mission's political office maintained regular and constructive engagement with the respective Moroccan and Frente Polisario coordinators with MINURSO. All meetings and interactions of the Mission were conducted in full transparency with the respective coordinators. During the visit of my Personal Envoy, his meetings with local civil society and human rights organizations were held at MINURSO headquarters, where he was accompanied by my Special Representative. That was the only occasion on which the MINURSO leadership met local civil society organizations other than the aforementioned women's groups.

51. During the reporting period, MINURSO did its best to improve the scope of its reporting to the Security Council and to the Secretariat and in support of my Personal Envoy, focusing on local developments and situational analysis, drawing on open-source information and maintaining fruitful contacts with the coordinators. To the extent possible, the substantive civilian staff reported on media-based statements and reports on political developments in the Mission's area of responsibility and in the region.

52. My Special Representative also visited Dakhla for consultations with local interlocutors, including the regional representatives of the Moroccan National Human Rights Council and the Royal Moroccan Army. In addition, MINURSO political affairs officers were sent on missions to Dakhla and Smara, which proved useful. The officers faced no restrictions in relation to those movements.

53. My Special Representative visited the refugee camps near Tindouf six times, interacting on each occasion with the leadership of Frente Polisario. He made several visits to the team sites east and west of the berm to consult MINURSO team site commanders and observers, to take stock of security precautions at a time of increased security threats and to interact with local counterparts of the Mission. In Tindouf, the MINURSO liaison office continued its good working relationship with Frente Polisario.

C. Mine action

54. The widespread contamination caused by landmines and explosive remnants of war throughout Western Sahara continues to endanger the lives of the local population, MINURSO military observers and logistical teams. During the reporting period, nine accidents resulted in injuries to two civilians on the east side of the berm. The Royal Moroccan Army reported 25 accidents in which 3 people were killed and 30 injured on the west side of the berm. MINURSO continues to take steps to ensure the safety of United Nations personnel with the support of the Mission's Mine Action Coordination Centre.

55. Humanitarian mine action activities east of the berm continued to be supported by the Mission and implemented according to international mine action standards through a partnership between an international non-governmental organization, Action on Armed Violence, and a commercial contractor, Mechem. The Mission continued to make significant progress in reducing the threat and impact of landmines and explosive remnants of war. Since its inception in 2008, the Mine Action Coordination Centre has reduced cluster strike areas by 85 per cent, increasing access to water and saving lives. Given that the threat of cluster strike areas had been largely reduced by the beginning of the reporting period, the Centre began to focus its efforts mainly on minefield clearance, deploying a mechanical clearance team to 1 of the 38 known minefields east of the berm in April 2012. During the reporting period, demining teams destroyed 401 items, including cluster bombs units, unexploded ordnance and anti-tank and anti-personnel mines.

56. The Royal Moroccan Army, which conducts demining operations to the west of the berm, reported the clearance of more than 199 km^2 of land and the destruction of 1,901 items, including cluster bomb units, anti-tank and anti-personnel mines, small arms ammunition and unexploded ordnance. The extent of landmines and explosive remnants of war to the west of the berm remains unknown.

57. The provision of landmine safety briefings and refresher training for all MINURSO personnel also continued to be a key role of the Mine Action Coordination Centre, which, by the end of January 2013, had provided 78 landmine safety briefings to 231 United Nations personnel in the Mission. In addition, 108 United Nations military observers received landmine safety refresher training courses at MINURSO team sites on both sides of the berm.

58. Effective cooperation also continued between the Mine Action Coordination Centre and both the Royal Moroccan Army and Frente Polisario. The Centre began to meet both parties on a quarterly basis to discuss information-sharing, demining methodologies, mine risk education and victim assistance interventions.

D. Safety and security

59. The Mission's area of responsibility was not immune from the repercussions of regional instability. Since early 2012, when armed elements linked to Al-Qaida seized northern Mali, concern over security and safety has increased.

60. The geography of the region has always made it difficult to tighten border controls and prevent infiltrations. The size, difficulties and exposure of neighbouring Mauritania have increased risks of penetration by hostile elements who may strike deep towards the east side of the berm. For their part, the Moroccan authorities have expressed concern about deteriorating security in the region and the need to re-evaluate military agreement No. 1 in that light.

61. The three humanitarian aid workers kidnapped from the refugee camps south of Tindouf in October 2011 by the Movement for Unity and Jihad in West Africa, an armed group, were released in July 2012. Nonetheless, concerns about kidnapping remain high. In May 2012, the Frente Polisario military authorities expressed concern for the safety of MINURSO personnel. Additional security measures have since been taken in collaboration with the Frente Polisario authorities to provide

escorts for military observers and humanitarian agencies and to deploy additional troops around United Nations team sites east of the berm.

62. In July 2012, the Government of Spain temporarily withdrew 17 European aid workers from the Tindouf area for security reasons. Responding to numerous security concerns, MINURSO completed construction work to improve security in and around all team sites east of the berm in the Territory. In Tindouf, a recently established joint security coordination committee, bringing together MINURSO, the United Nations agencies and Frente Polisario in a security forum, provides a pool of critical information for evaluating the security situation and measures in place and deciding on mitigating measures. The Frente Polisario military authorities reinforced security measures around MINURSO team sites east of the berm, as recommended following a joint security assessment carried out in April 2012 by the Department of Safety and Security and the Department of Peacekeeping Operations. The Royal Moroccan Army also strengthened security around the team sites west of the berm.

63. Since late in 2012, the "Saving Lives Together" security enhancement initiative by MINURSO and the Department of Safety and Security, funded by the Directorate General for Humanitarian Aid and Civil Protection of the European Commission and the Spanish Agency for International Development Cooperation through UNHCR, has sought to foster a culture of security among the participating non-governmental organizations operating in the refugee camps near Tindouf through the implementation of a broad programme that encompasses improved physical security, risk assessment and emergency response capacity. This will permit humanitarian organizations to better manage their own security amid increased regional risks and thus ensure their continued ability to implement their programmes on the ground.

64. No visible or palpable threat to the security of United Nations staff has been reported west of the berm. Given the unpredictable nature of security challenges in the region, however, vigilance is critical. Exercises simulating emergency evacuations were conducted at some team sites as part of the Mission's efforts to enhance the readiness of the military observers.

E. Persons unaccounted for in the conflict

65. The International Committee of the Red Cross continued to work with the parties and families concerned in pursuing the question of persons still unaccounted for in relation to the conflict.

F. Assistance to and protection of Saharan refugees

66. UNHCR enhanced its protection presence and monitoring in the refugee camps near Tindouf through direct interaction with the refugees and their communities, constructing new field offices in all the camps to bring services closer to them. UNHCR, the World Food Programme (WFP), the World Health Organization and the United Nations Children's Fund (UNICEF) continued to provide material assistance to refugees in the camps, working in close coordination with the Directorate General for Humanitarian Aid and Civil Protection, the Spanish Agency for International Development Cooperation and several international and local

non-governmental organizations. UNICEF also strengthened its operational capacity, adding two staff permanently deployed in Tindouf to allow for closer monitoring, improved coordination with other United Nations entities and enhanced participation in joint assessments of HIV/AIDS, water, sanitation and hygiene and other programmes.

67. During the reporting period, the main areas of support comprised protection, community services, education, water supply, sanitation and hygiene, health, food and nutrition, shelter, energy, transport and logistics. Pending their registration, WFP continued to provide 90,000 general food rations and 35,000 supplementary general food rations to the most vulnerable refugees each month, while UNHCR added complementary food. The two agencies also conducted 45 general food basket distribution visits to food distribution points in the camps each month.

68. UNHCR and WFP, through their implementing partner, the Algerian Red Crescent, conducted a supplementary feeding programme to moderately malnourished children under 5 years of age, and to pregnant and lactating women in all camps, distributing two new food products, the introduction of which was preceded and accompanied by education campaigns to ensure their acceptance and effective use. UNHCR funded the training of 113 refugee health and nutritional personnel on nutritional programme management, monitoring, evaluation and better reporting.

69. UNHCR also provided support to the nursing school in the refugee camps, conducting training courses for nurses and midwives and supplying products and teaching aids. A total of 13 students graduated in 2012, bringing the total number of graduates since 1992 to 84. UNICEF reinforced its Expanded Programme on Immunization, with the introduction of a new vaccine, capacity-building for health personnel and midwives and cold chain maintenance.

70. UNHCR continued to provide support to a number of vocational centres for women, young people and persons with disabilities during the reporting period. It provided supplies to schools in the camps, rehabilitated a school in the Smara camp and trained teachers in curriculum development and pedagogy. Since 2008, 38 students have received UNHCR scholarships. UNICEF also provided school supplies for the education sector.

71. UNHCR expanded water systems through hydraulic and electrical connection to existing wells and constructed two additional boreholes, bringing the total number of boreholes in the camps to six. Solidaridad International, a Spanish non-governmental organization, installed water systems in all the camps with funding from the Directorate General for Humanitarian Aid and Civil Protection and UNHCR.

72. Pursuant to the recommendation contained in my report of 5 April 2012 (S/2012/197, para. 63), and to Security Council resolution 2044 (2012), in which the Council requested UNHCR to maintain its consideration of a refugee registration in the refugee camps, in line with its mandate and principles, UNHCR continued its dialogue with Algeria, the host country.

G. Confidence-building measures

73. With the cooperation of Morocco and Frente Polisario, UNHCR continued to implement the confidence-building measures programme to facilitate contact and communication between Saharan refugees in the camps near Tindouf and their families in the Territory. MINURSO supported the programme by providing medical staff and police officers to facilitate preparations and serve as escorts. Family visits and cultural seminars remain the two fundamental components of the updated plan of action for confidence-building measures, as agreed with the parties in February 2013.

74. Between 2004 and the end of 2012, the total number of persons registered for the family visit programme in the camps near Tindouf and in the Territory was 48,252. Of this number, 16,889 persons (58 per cent females and 42 per cent males) have benefited from the family visit programme.

75. From 2 to 6 July 2012 and 2 to 8 February 2013, UNHCR organized two seminars in the Azores and Faro, Portugal, on the role of women and the importance of the tent (*al-khaima*) in the culture of Western Sahara. The seminars were each attended by 33 participants from the Territory and 33 from the refugee camps near Tindouf.

76. Following engagement with the parties, UNHCR chaired two meetings in Geneva in 2012 to review the confidence-building measures programme. The participants included representatives of the two parties, Morocco and Frente Polisario, and the two neighbouring States, Algeria and Mauritania. Participants reaffirmed the importance of the programme and the need to find ways and means to maximize the links between families who had been divided for 38 years because of the conflict. The parties expressed their commitment to cooperating fully with UNHCR in implementing confidence-building activities in accordance with its mandate and principles and to preserving the humanitarian character of the confidence-building measures programme. They also committed themselves to ensuring full and unhindered access by UNHCR to the refugee camps near Tindouf and to beneficiaries in the Territory. The parties and the neighbouring States acknowledged the positive outcome of the cultural seminars and agreed that another seminar should be held in Portugal in agreement with its Government. They also agreed that UNHCR would conduct an evaluation of the entire range of confidence-building measures, including family visits, communications and seminars. UNHCR will dispatch a mission for this purpose in the second quarter of 2013. The next meeting with the parties and the neighbouring States is proposed for the first week of July 2013 in Geneva.

77. With regard to the programme of family visits, the twice-monthly exchange visits remain the most appreciated way of keeping families connected. To increase the number of persons benefiting from the programme, and as agreed at the review meeting in January 2012, UNHCR leased a larger aircraft, which tripled the number of beneficiaries and increased the number of locations for the visits. The Mission's contribution is mainly delivered by its United Nations police component. As noted in my reports since 2006, the police component comprises six police officers who accompany UNHCR colleagues and check each visitor and each host family before the visits take place. They provide an impartial presence at the location of the visit during its duration. With this increase in operations, the Mission requires six United

Nations police officers beyond the currently authorized level. It would be preferable for these officers to be women, given that most beneficiaries are women and children.

78. In November 2012, a visitor from the camps to the Territory was the victim of a traffic accident on the road from Laayoune to Smara. The severity of his case required immediate hospitalization in Laayoune. In coordination with UNHCR, the Moroccan authorities evacuated him to Marrakech where he received intensive care and subsequently recovered.

H. Irregular migrants

79. No irregular migrants were recorded in Western Sahara during the reporting period.

I. Human rights

80. During the reporting period, human rights violations affecting Western Sahara in both the Territory and the refugee camps near Tindouf continued to be alleged or reported. With regard to the Territory, they related in particular to violations of the right to a fair trial, torture, cruel, inhuman and degrading treatment, and freedom of expression, association and assembly. In 19 letters, the Secretary-General of Frente Polisario asserted that the Moroccan security forces had committed human rights violations and that international trial standards had been violated. In March 2013, the Government of Morocco sent me three letters on ceasefire violations, the need for a census in the refugee camps and human rights.

81. In relation to the military trial of 25 Saharan civilians (see para. 14), the Moroccan authorities and some international observers acknowledged positively the proceedings and outcome of the trial, which had been open to international and national observers and relatives and supporters of both the victims and the defendants. The Moroccan National Human Rights Council followed the case closely and concluded that the trial had been held in normal conditions and had generally respected procedures. In its preliminary report, it took note of the complaints of torture and ill-treatment that some defendants had made, stating that they would be considered in the final report. In contrast, other local and international non-governmental human rights organizations criticized breaches of international fair trial standards.

82. The Office of the United Nations High Commissioner for Human Rights and the Special Rapporteur on torture expressed concern at the use of a military court to try civilians and the failure to investigate allegations of torture and ill-treatment, including sexual violence, during the prisoners' pretrial detention. I share these concerns. The Moroccan authorities informed the High Commissioner that the jurisdiction of the court was legal and complied with the provisions of international law and that fair trial procedures were respected (a public trial, the rights of defence, debates and presumption of innocence) and consistent with international norms and standards.

83. While the accused have appealed against the verdict, it is also of concern that the appeal can be made only to the Court of Cassation, which does not allow for a

complete review of all aspects of the case. In this regard, King Mohammed VI recently endorsed the recommendation of the Moroccan National Human Rights Council that civilians should not be prosecuted in a military court. In addition, on 12 February 2013, the Chamber of Representatives adopted accession legislation for the Optional Protocol to the Convention against Torture. While the creation of the Moroccan National Human Rights Council and its regional offices is a positive development, further support from the Government for the implementation of their recommendations is needed to ensure the ability of the organization to protect human rights and maintain its credibility.

84. The cases of more than 100 Saharans accused of acts of violence in relation to the dismantling of the Gdim Izik camp remained pending before the Laayoune Court of Appeal. Investigations were reportedly continuing while the accused were on provisional release. Local sources noted that, while some of the accused had alleged that they had been tortured or ill-treated. An investigation into those allegations had reportedly not been opened.

85. There were no significant developments in the trial of the seven Saharan activists, including one woman, charged in relation to their visit to the refugee camps near Tindouf in October 2009, as reported in my previous report (S/2012/197, para. 75). At the time of writing of the present report, the trial, which opened in October 2010, was continuing, with the accused remaining on provisional release.

86. Local human rights organizations complained of long-standing difficulties in operating in the Territory. Notably, Saharan human rights organizations claimed that, their efforts in previous years to register as non-governmental organizations notwithstanding, they continued to be denied legal recognition. The Special Rapporteur on the situation of human rights defenders has also expressed concern at alleged restrictions on the right of peaceful assembly and on registration of Saharan non-governmental organizations (see A/HRC/22/47/Add.4).

87. As mentioned above, international organizations and United Nations independent experts were able to visit the Territory. They reported some constraints while conducting their work, however, notably the monitoring by local authorities of meetings and the climate of intimidation that that created for some interlocutors.

88. Local human rights organizations regularly reported beatings of demonstrators by Moroccan security forces, including during the visit of my Personal Envoy. Aminatou Haidar, an activist and head of the Collectif des défenseurs sahraouis des droits de l'homme, submitted a complaint to the General Crown Prosecutor on 12 November 2012 regarding her allegations that she had been beaten by security forces and her property attacked. She has yet to receive a response.

89. In relation to the work of international human rights mechanisms, the Moroccan authorities have facilitated the access of United Nations special procedures mandate holders to the Territory when requested to do so in the context of visits to Morocco. It should be noted that special procedures mandate holders engage with one Government at a time. Accordingly, previous visits have not included missions to the refugee camps near Tindouf in Algeria. Furthermore, thematic mandate holders are not a mechanism intended or able to provide continuous monitoring of and reporting on the overall human rights situation in any geographical region, including Western Sahara and the camps near Tindouf.

90. The Special Rapporteur on torture visited Laayoune in September 2012 for two days and focused on his specific mandate. On 4 March 2013, he presented his report to the Human Rights Council (A/HRC/22/53/Add.2). He concluded that, in the case of Western Sahara, there was a pattern of excessive use of force during demonstrations, including kidnapping and abandonment in the desert, and of torture and ill-treatment by police officers and security personnel of alleged or known supporters of the independence of Western Sahara both outside and inside detention centres. He further noted that many individuals had been coerced to confess and sentenced to prison on the basis of such confessions.

91. He recommended that the Government of Morocco should promptly conduct impartial and independent investigations of allegations of torture, hold perpetrators accountable, provide compensation to victims, reconsider the jurisdiction of military courts over civilians and further strengthen protection for internationally recognized human rights. He also assessed that the entire region would benefit from a robust regional intergovernmental human rights monitoring mechanism as an important confidence-building measure that could help to improve the situation with regard to human rights observance.

92. In September 2012, the Human Rights Council adopted the outcome of the universal periodic review of Morocco, including five recommendations relating to the human rights situation in Western Sahara. Three recommendations pertaining to the protection of human rights defenders, including granting official accreditation to human rights organizations, the implementation of independent and credible measures to ensure full respect for human rights, freedom of association and expression and the protection of human rights in the light of reported cases of abuses by Moroccan security forces, enjoyed the support of the Government of Morocco, which considered that those recommendations had already been implemented or were being implemented.

93. The recommendation to ensure that the procedures governing registration of civil society organizations, including organizations advocating the right to self-determination of the people of Western Sahara, are in conformity with international standards, did not enjoy the support of Morocco. Morocco also rejected the recommendation that it should accept the establishment of a permanent human rights component in MINURSO, arguing that it did not fall within the scope of the mandate of the Human Rights Council.

94. With regard to Moroccan national institutions, the work of the Moroccan National Human Rights Council in the Territory was a positive step that enabled it to gain closer proximity to Saharan victims of human rights violations and to human rights issues specific to the Territory. The Special Rapporteur on torture acknowledged and encouraged that positive development, while noting that the Council should not be considered to be a substitute for a functioning complaint system regarding allegations of torture and ill-treatment. The Council's offices in the Territory carry out a range of activities, including trial observations, prison visits and human rights training. They have on several occasions informed MINURSO of their activities in the promotion of human rights and of the challenges that they face. MINURSO political affairs officers twice attended human rights seminars in Laayoune, at the invitation of the Council and as observers.

95. As mentioned above, the Moroccan Economic, Social and Environmental Council developed what it termed a "regional development model for the southern

provinces" to "allow the local population to fully enjoy human rights in their economic, social and cultural dimension" and "prepare ... the way for the success of the Moroccan autonomy initiative, once negotiated in the United Nations framework". One of the six areas for action will be "ensuring access to basic rights and services and promoting social well-being", while an indicator of success will be respect for human rights.

96. Information regarding the human rights situation in the refugee camps near Tindouf remains limited. In recent years, allegations of violations have been reported, notably violations of the rights to freedom of expression and movement. In a speech delivered on 6 November 2012, King Mohammed VI called upon the international community "to endeavour to put an end to the suffering endured by our citizens in Tindouf, on Algerian soil, where some of the most hideous forms of repression, oppression, despair and deprivation prevail, in gross violation of the most basic human rights". In September 2012, Frente Polisario expressed its readiness to cooperate with United Nations human rights bodies, including in the refugee camps and the Territory.

97. From 24 to 28 September 2012, the African Commission on Human and Peoples' Rights undertook a fact-finding mission, sanctioned by the Assembly of the African Union, to evaluate human rights in the Territory and the refugee camps near Tindouf. The Moroccan authorities did not respond to the mission's request to visit the Territory, but its members did visit the refugee camps. In a press release, they cited information relating to alleged violations committed in the Territory, but provided no information on alleged violations in the camps. At the time of writing, the mission report, although scheduled to be submitted to the Assembly of the African Union in January 2013, was not publicly available.

V. African Union

98. MINURSO continued its cooperation with the observer delegation of the African Union, led by its Senior Representative, Yilma Tadesse (Ethiopia). I wish to reiterate my appreciation to the African Union for its contribution to the continuing negotiating process. MINURSO continued to support the African Union delegation in Laayoune with logistical and administrative assistance drawn from its existing resources.

99. At the twentieth ordinary session of the summit of the African Union, in January 2013, the Executive Council requested the African Union Commission to take all measures necessary for the organization of a referendum for self-determination of the people of Western Sahara in compliance with the relevant Organization of African Unity decisions and United Nations resolutions.

VI. Financial aspects

100. The General Assembly, by its resolution 66/278, appropriated the amount of $58.3 million for the maintenance of MINURSO for the period from 1 July 2012 to 30 June 2013. Should the Security Council approve my recommendations on the extension of the mandate of MINURSO and the increase in authorized strength, the cost of maintaining the Mission until 30 June 2013 would be limited to the amounts

approved by the Assembly. The proposed budget for MINURSO for the period from 1 July 2013 to 30 June 2014 in the amount of $58.4 million (exclusive of budgeted voluntary contributions in kind), based on the current authorized strength for MINURSO, has been submitted to the Assembly for consideration during the second part of its resumed sixty-seventh session. Should the Council approve my recommendations on the extension of the mandate of MINURSO and the increase in authorized strength, I will advise the Advisory Committee on Administrative and Budgetary Questions and the Assembly as necessary.

101. As at 18 March 2013, unpaid assessed contributions to the Special Account for MINURSO amounted to $47.8 million. The total outstanding assessed contributions for all peacekeeping operations as at that date amounted to $2,380.2 million.

102. As at 18 March 2013, amounts owed to troop contributors totalled $900,000. Reimbursement of troop and contingent-owned equipment costs has been made for the period up to February 2011 and October 2010, respectively, owing to the insufficiency of cash in the special account of the Mission.

VII. Challenges to the Mission's operations

103. In its resolution 2044 (2012), in which it renewed the mandate of MINURSO until 30 April 2013, the Security Council requested that, in my next report, I should examine the existing challenges to the Mission's operations and steps taken to address them. In my report of April 2012 to the Council (S/2012/197), I described the challenges as falling into three categories: those relating to the mandate, those relating to military and substantive civilian activities and those relating to the security conditions.

104. There has been no change in the challenges that MINURSO is facing with regard to its mandate and the differing interpretations of the mandate by the parties. With the mandate — unchanged since 1991 — and the reality — for example, the complete suspension of referendum activities in 2003 — diverging significantly, the parties have developed significantly different interpretations of the mandate. Morocco defines MINURSO as a mainly military peacekeeping operation active for the most part along the berm, while Frente Polisario expects MINURSO to monitor the welfare and human rights of the population throughout the Territory. These differing views continued to define the operational environment and resulted in frustration and criticism from both sides. One side asserts that MINURSO is seeking to do too much, the other that it is doing too little.

105. Challenges relating to the security situation in the Mission's area of responsibility have also not decreased during the reporting period. The security of MINURSO personnel is a growing concern. Continuing military operations in northern Mali can threaten the peripheries of areas east of the berm in the long term. During meetings with MINURSO, Frente Polisario commanders have not ruled out terrorist infiltrations. Possible armed infiltrations, gaps in regional security coordination and resource shortages for effective border controls expose military observers to risk. This was the reason for the suspension of MINURSO night patrols east of the berm, which have not resumed. In addition, all patrols towards the Mauritanian border are escorted by Frente Polisario troops. On both sides of the berm, the need to take precautionary measures includes the need for the parties to take increased measures to protect the team sites and during certain patrols and

movements. Every such security measure, while necessary, implies giving the parties a degree of monitoring and control over the freedom of movement of the MINURSO military observers.

106. The Mission's monitoring and reporting of violations of military agreement No. 1 continue to suffer from challenges reflecting a general absence of precise ceasefire terms and the Mission's lack of authority to prevent or rectify non-compliance. The Mission's efforts to clarify to the parties its reading of the text notwithstanding, varying interpretations of the agreement continue on the basis of differing readings of its specific provisions. To date, the resulting violations have not jeopardized the ceasefire, but have led to a gradual erosion of the authority of MINURSO and, therefore, of the standing that it enjoys in its area of responsibility. Morocco has suggested some specific changes to military agreement No. 1 and Frente Polisario has also indicated that it views some provisions as being in need of review. To date, however, the proposals of the two parties are incompatible. MINURSO will continue to seek common ground for mutually agreed revisions of the agreement.

107. The substantive civilian activities of MINURSO likewise remain challenged by the differing interpretations of the mandate, with Frente Polisario calling for a literal application of the phrase "free interaction with all interlocutors" in the most recent resolution of the Security Council and Morocco calling for a more limited understanding on the basis of its view of MINURSO as a mainly military peacekeeping operation primarily concerned with the ceasefire. The Mission's meetings with interlocutors and political reporting are conducted within the limits set by the differing understanding of the Mission's nature. MINURSO continues to be guided by the imperative of positive and constructive interaction with the parties and therefore exercises caution in the selection of its interlocutors. While, with the full cooperation of the coordinators of both parties, this has led to a broadening of the range of interlocutors and the scope of the issues being discussed, it is still not a fully satisfactory situation. The Mission remains limited in its ability to provide truly independent reporting on developments to the Council and the Secretariat.

108. The situation with regard to the issues of Moroccan flags and number plates, with its negative effects on perceptions of the Mission's neutrality, continues as described in my previous report. The United Nations position on these questions has been repeatedly brought to the attention of the Moroccan authorities, including by the Under-Secretary-General for Peacekeeping Operations and my Personal Envoy. On the number plate issue, the Legal Counsel has also addressed a note verbale to the Permanent Mission of Morocco. Morocco is reviewing the two issues and initiated discussions with my Special Representative in March to find pragmatic solutions in this regard.

VIII. Observations and recommendations

109. Difficulties during the period continued to hinder progress towards a just, lasting, and mutually acceptable political solution, which will provide for the self-determination of the people of Western Sahara. In 2012, only one round of direct talks was held under my Personal Envoy's mediation. My Envoy also undertook two trips to the region and one tour of the capitals of the Group of Friends on Western Sahara, among other capitals. By the end of the reporting period, the negotiating

process remained at a stalemate because the two parties have refused to move beyond presenting and defending their respective proposals.

110. The Western Sahara conflict has long been a matter of disunity within the international community, but the rise of instability and insecurity in and around the Sahel requires an urgent settlement of this long-standing dispute. The persistence of the conflict is a hindrance to greater integration in the Maghreb, which is needed now more than ever. The time has come for the parties to move towards a solution with the encouragement and support of the international community.

111. I urge the parties to engage in genuine negotiations with the assistance of my Personal Envoy. To do so, each party must accept that neither will obtain the totality of its demands, but rather has to engage in a logic of give and take. My Personal Envoy intends to hold bilateral discussions with the parties with the goal of helping them design the contours of an acceptable compromise.

112. The context of the negotiating process has human and political dimensions. My Personal Envoy will continue to encourage further improvement in relations between Morocco and Algeria. The exchange of visits at the ministerial level has already led to greater communication and cooperation but much more remains to be done. I urge the two countries to redouble their efforts so that both can enjoy the benefits that they would gain from improved relations and the opening of their common border in the interest of the region and of the international community as a whole.

113. Representatives of Western Saharan civil society in the Territory, the refugee camps near Tindouf and in the diaspora, particularly women and youth, have expressed a strong interest in much greater direct contact with each other. I believe a people-to-people dialogue could help bridge the gap between Western Saharans, bring their needs and desires more to the fore, and contribute positively to the negotiating environment. One way this could be done would be through a greatly expanded confidence-building measures programme bringing together specific sectors under UNHCR auspices. I encourage the parties to be open to such an initiative and call on Member States to be receptive to calls by UNHCR for further funding in this regard.

114. I would also like to stress the critical importance of addressing the Western Sahara conflict as part of a broader strategy for the Sahel. This conflict is first and foremost a North African conflict. I am convinced that regional integration, particularly through reinforcement of the Arab Maghreb Union, is a key element in overcoming the current instability and reaping important economic, commercial and social benefits. I am hopeful that progress on this front will help enhance trust between the parties and provide a context conducive to a solution for the Western Sahara conflict. As the negotiations move forward, my Personal Envoy will engage with other countries of the region and with regional organizations, including the Arab Maghreb Union and the African Union.

115. The issue of human rights remains important for any resolution of the conflict. The parties continue to hold different opinions on how it is to be addressed. Morocco considers that the activities of the Moroccan National Human Rights Council and its regional offices and their invitation to United Nations special rapporteurs are appropriate and sufficient mechanisms to address human rights issues. According to the Frente Polisario, there is a need for an independent human

rights monitoring mechanism in the Territory, for instance by adding human rights monitoring to the MINURSO mandate.

116. All parties are responsible for ensuring the protection of human rights. I therefore urge them to pay more attention to the issues being raised and promote a culture of human rights. While continuing to encourage the parties to do more to promote and respect human rights, I acknowledge the cooperation of Morocco with the special procedures mandate holders of the Human Rights Council and the open invitation for them to access the Territory. I am encouraged by the recent endorsement by King Mohammed VI of the recommendation of the Moroccan National Human Rights Council that civilians should not be prosecuted in a military court, and I hope implementing legislation will be passed promptly. I also take positive note of the Frente Polisario's expressed readiness to cooperate with United Nations human rights bodies. I urge further international engagement with regard to the situation in Western Sahara and the refugee camps near Tindouf. Given ongoing reports of human rights violations, the need for independent, impartial, comprehensive and sustained monitoring of the human rights situations in both Western Sahara and the camps becomes ever more pressing.

117. Closely related are the demonstrations for social and economic rights that have occurred throughout the reporting period. I acknowledge the efforts by Morocco to improve social conditions in the Territory and, to that end, take note of its preparation of a new regional development strategy for the Territory.

118. While MINURSO continued to ensure compliance with provisions of the ceasefire and perform related tasks critical to the deterrence role of the Mission in order to assure each side of the other's non-aggressive intentions and to resolve issues or tensions when they arise, new challenges now require an equal measure of increased monitoring by MINURSO military observers. As already highlighted, the need for additional military observers is urgent. In view of those new challenges, I reiterate my call to the parties, which has not yet been followed up, to establish direct cooperation and communication through a joint military verification mechanism to discuss allegations of violations and other issues of common interest.

119. With regard to the confidence-building measures programme, the exchange visits remain the most appreciated way of keeping families connected. The expansion of the family-visit programme to triple the number of beneficiaries was particularly welcome. To cope with the increased volume and activities, the Mission still requires six additional United Nations police officers, as indicated in my previous report, whom I intend to deploy at the earliest. I also note the successful inter-Saharan cultural seminars and the parties' commitment to continue constructive cooperation with UNHCR in order to alleviate the divisive effects of the conflict. In view of the vital importance of the programme for the beneficiaries and for my efforts to find a political solution, I strongly urge the donor community to contribute generously to this programme. I would also like to thank Algeria and Mauritania for their support of the confidence-building measures humanitarian programme.

120. I welcome the continued progress made in the clearance of land mines and explosive ordnances of war. The cumulative reduction in mines is commendable. Mine action and sensitization activities have positively contributed to the safety of civilians and United Nations personnel. I commend the constructive discussions held by each party with the United Nations Mine Action Service on the

implementation of international mine action standards on both sides of the berm. I call upon donors to support the efforts towards demining in Western Sahara.

121. MINURSO has helped keep the peace through its effective monitoring of the ceasefire, as well as by reporting on the military activities of both sides and on developments in and affecting its area of responsibility, by conducting demining activities and by providing logistics support to the confidence-building measures programme of UNHCR. Within the constraints in which it operates, MINURSO has maintained its ceasefire monitoring function and its presence on the ground has played an important role in deterring the parties from breaking the ceasefire agreement or resuming hostilities. It has made good progress in demining, clearing vast areas of the Territory, and has effectively facilitated the family visits programme under UNHCR auspices.

122. In addition to its ceasefire monitoring function and as the only significant international presence in the Territory, MINURSO is also responsible for standard peacekeeping functions, such as monitoring, assessing and reporting on local developments affecting or relating to the situation in the Territory, as well as on political and security conditions affecting the negotiating process led by my Personal Envoy. The reporting function of MINURSO, although still limited, is indispensable, including for my Personal Envoy. I hope that the limitations that still exist in this regard can be overcome, building on the progress achieved so far.

123. I believe that, as a guarantor of the stability of the ceasefire and as visible evidence of the international community's commitment to achieving a resolution of the conflict, the presence of MINURSO remains relevant as (a) an instrument of stability in the event that the political stalemate continues; (b) as a mechanism to support implementation of successive Security Council resolutions related to the mandate of MINURSO (United Nations Mission for the Referendum in Western Sahara); and (c) to provide independent information on the conditions on the ground to the Security Council, the Secretariat and the international community. I therefore seek the assistance of the Council in reasserting the mandated role of MINURSO, upholding peacekeeping standards and United Nations neutrality and ensuring that the conditions for the successful operation of the Mission are met. I also call on both parties, Morocco and the Frente Polisario, to cooperate fully with MINURSO in achieving these objectives. In this context, and in the light of the continuing efforts of my Personal Envoy, I recommend that the Council extend the mandate of MINURSO, with a modest increase of 15 military observers and six United Nations police officers to the authorised strength, for a further 12 months, until 30 April 2014.

124. In conclusion, I wish to thank Christopher Ross, my Personal Envoy for Western Sahara, for his repeated engagements with the parties towards a just, lasting and mutually acceptable political solution that will provide for the self-determination of the people of Western Sahara. I also thank my Special Representative in Western Sahara, Wolfgang Weisbrod-Weber, and Major General Abdul Hafiz of Bangladesh for their able and dedicated leadership of MINURSO. Finally, I also thank the men and women of MINURSO for their work in difficult circumstances to fulfil the Mission's mandate.

Annex

United Nations Mission for the Referendum in Western Sahara

Contributions as at 31 March 2013

Country	*Military observers*[a]	*Troops*[a]	*Civilian police*[b]	*Total*
Argentina	1	–	–	1
Austria	2	–	–	2
Bangladesh	8	20	–	28
Brazil	10	–	–	10
Chad	–	–	1	1
China	10	–	–	10
Croatia	7	–	–	7
Djibouti	2	–	–	2
Egypt	16	–	2	18
El Salvador	1	–	–	1
France	13	–	–	13
Ghana	9	6	–	15
Guinea	1	–	–	1
Honduras	12	–	–	12
Hungary	7	–	–	7
Ireland	3	–	–	3
Italy	5	–	–	5
Jordan	–	–	2	2
Malawi	3	–	–	3
Malaysia	6	–	–	6
Mongolia	46	–	–	6
Nepal	4	–	–	4
Nigeria	5	–	–	5
Pakistan	11	–	–	11
Paraguay	1	–	–	1
Peru	2	–	–	2
Poland	1	–	–	1
Republic of Korea	4	–	–	4
Russian Federation	17	–	–	17
Sri Lanka	3	–	–	3
Togo	1	–	–	1
Yemen	12	–	1	13
Total	**183**	**26**	**6**	**215**[c]

[a] Authorized strength is 231, including the Force Commander.
[b] Authorized strength is 6.
[c] Actual strength on the ground for military and civilian police, including the Force Commander.